

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Servants – Registration & Stamps – Departmental action initiated against Smt. P.Laxmi Kumari, formerly Joint Sub Registrar-II, Registrar Office, Guntur, now District Registrar, Eluru – Articles of Charges issued – Written Statement of Defence submitted – Enquiry Officer Report submitted and Disagreement factors Communicated – representation received - Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.706

Dated: 19.07.2014

Read the following:

- 1) From the C&IG, R&S, Hyderabad, Lr.No.Vig.3/8322/1998, dated: 03.03.2010.
- 2) G.O.Rt.No.516, Revenue (Vig.VI) Department, dated: 03.04.2010.
- 3) From Smt P.Laxmi Kumari, District Registrar, Eluru, Written Statement of Defence, dt:13.05.2010.
- 4) Govt., Memo.No.10525/Vig.VI(1)/2010-1, dt:22-7-2010.
- 5) From Smt P.Laxmi Kumari, D.R., Eluru, Written Statement of Defence Dated: 10.09.2010.
- 6) Govt., Memo.No.10525/Vig.VI(1)/2010-2, dt:8-10-2010.
- 7) G.O.Rt.No.1280, Rev. (Vig.VI) Dept., dated: 24.10.2011.
- 8) C&IG, R&S, AP, Hyd Lr.No.Vig.3/8322/1998, dt:15-6-2012 together with enquiry report of DIG, R&S, Guntur.
- 9) Govt., Memo.No.10525/Vig.VI(1)/2010-3, dt:18-7-2012.
- 10) DIG, R&S, Eluru Range, Eluru Lr.No.X/118/2012, dt:26-7-2012.
- 11) From Smt. P.Lakshmi Kumari, DR, Eluru Lr.No.E1/675/2012, dated:1-8-2012.
- 12) From Smt. P.Lakshmi Kumari, DR, Eluru Lr.No.E1/675/2012, dated:5-9-2012.
- 13) Representation of Smt.P.Lakshmi Kumari, DR, Eluru, dt:16-10-2012.

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ORDER:

Whereas, it was brought to the notice of the Government that certain charges were framed against Smt.P.Lakshmi Kumari, former Sub-Registrar-II, Registrar Office, Guntur on the allegation of misconduct in registration of certain documents causing loss of Revenue to Government exchequer. The charged officer submitted Written Statement of Defence and having not convinced with the Written Statement of Defence, the Disciplinary Authority i.e., Deputy Inspector General, Registration & Stamps, Guntur had ordered for Regular enquiry by appointing District Registrar, Nellore as Regular Enquiry Officer. Regular Enquiry Officer submitted enquiry report stating that out of seven charges, five charges held proved and two charges held not proved. Further, Charged Officer had submitted a representation before the Commissioner & Inspector General stating that she was not given reasonable opportunity to defend her case. The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad ordered the same Regular Enquiry Officer to conduct further enquiry duly giving the reasonable opportunity to her. After due enquiry, the Regular Enquiry Officer / District Registrar, Nellore submitted enquiry report to Disciplinary Authority, stating that all the seven charges framed against Smt.P.Lakshmi Kumari, former Sub-Registrar-II, Registrar Office, Guntur were held not proved. After examination of the findings of the Regular Enquiry Officer, the disciplinary authority i.e., Deputy Inspector General, Registration & Stamps, Guntur had accepted the findings of the Regular Enquiry Officer and issued final orders exonerating the charged officer from the charges.

2. In the reference 1st read above, the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad had sent a report stating that as per the orders of Upa-Lokayukta, he had ordered for a de nova enquiry vide Procds., dt:10-4-2003 on the same charges initially framed and enquiry conducted. Aggrieved by the above de novo enquiry orders, the Charged Officer had filed OA.No.2773/2003. The Hon'ble Andhra Pradesh Administrative Tribunal had passed final orders dismissing the OA duly vacating the interim orders. Consequent to the orders of Hon'ble Andhra Pradesh Administrative Tribunal, the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad has stated that since the Government is the disciplinary authority in respect of District Registrars, Government have to initiate disciplinary proceedings.

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3. Accordingly., Government have initiated disciplinary proceedings in the reference 2nd read above duly framing the following charges and directed to offer her Written Statement of Defence within 10 days from the date of receipt of the order.

Charge-I:

“That the said Smt.P.Lakshmi Kumari, W/o Badarinath, 49 years, former Jt.SR-II, Registrar’s Office, Guntur and present DR, Ongole while working as Jt.SR-II, Registrar Office, Guntur during the period from 18.9.1989 to 11.9.1990 has caused loss of revenue Rs.2,80,850/- in 113 Documents by colluding with the parties by omitting to compute correct market value in the Annexure-I B after making spot inspection of the properties”.

Charge-II:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur short levied 1% stamp duty on sale of properties included in Guntur Municipality (Govt. Notification in G.O.Ms.No.917, MA (T), dt:12.11.1987 and G.O.Ms.No.944, MA, dt:25.11.1989 published in Guntur Dist. Gazette Extraordinary No.12-3, dt:29.12.1987) and caused a loss of Rs.8672.50 in 48 cases”.

Charge-III:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur deliberately omitted to apply basic register value rates in 11 cases resulting in a cumulative loss of revenue of Rs.17,121-40 to the State Exchequer”.

Charge-IV:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur registered documents involving house sites or sites with irregularity raised structures without approval of the Municipalities concerned as dwelling units, in contravention of Rule 2(e) of the ULC Act, 1976 and those of surplus land holders without exemption orders from the Govt. in contravention of Section 20 of the ULC Act”.

Charge-V:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur registered Doc.No.6432/90 involving properties situate at Kolakuluru Sub-District which is outside her Sub-District jurisdiction leading to serious procedural defect”.

Charge-VI:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur registered two documents 4911 and 4912 of 1990 involving transfer of Govt. land by private parties despite the Annexure-IA accompanying the document containing a clear mention to this effect in violation of the instructions issued by the Govt. in Memo.No.1608/U2/87-1, dt:22.5.1987 communicated through the Inspector General’s Endorsement No.G1/13100/87, dt:24.5.1987.

Charge-VII:

“That the said Smt.P.Lakshmi Kumari, while working as Jt.SR-II, Registrar’s Office, Guntur omitted to elicit full particulars required for the proper identification of the properties relating to the documents as per list enclosed in violation of Rule 23 of the Registration Rules read with the S.O. 371 (OLD).

4. The Charged Officer submitted Written Statement of Defence in the reference 5th read above mainly contending that identical charges were framed against her and stated that after conducting regular enquiry by the disciplinary authority on the same charges, she was exonerated from the charges. She has also stated that the present charges framed vide G.O.Rt.No.516, dt:3-4-2010 are in duplication of charge memo issued by Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad, dt:10-4-2003. She has also stated that she did not commit any irregularity or lapses and she had followed all the instructions scrupulously pertaining to the adoption of the market value, carefully and dutifully followed and implemented the relevant provisions of the ULC Act, executive instructions issued from time to time. Therefore, she has requested the Government to drop all further action in toto as none of the charges framed against her were not proved.

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5. Government have examined the matter and requested the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad in the reference 6th read above to send his remarks on the Written Statement of Defence of the Charged Officer along with relevant original records for taking further action in the matter.
6. Government in the reference 7th read above have appointed Deputy Inspector General, Registration & Stamps, Guntur as Inquiry Authority to inquire into the charges framed against the Charged Officer duly appointing Joint Sub Registrar-I, Registrar Office (Other Branch), Guntur as Presenting officer.
7. The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad in the reference 8th read above has submitted the enquiry report to Government as submitted by the Regular Enquiry Officer / Deputy Inspector General, Registration & Stamps, Guntur for taking further action.
8. Government have examined the Enquiry Report and decided to disagree with the findings of the Inquiry Authority in respect of Smt P.Laxmi Kumari, District Registrar, Eluru and issued a Show Cause Notice to the Charged Officer in the reference 9th read above duly communicating disagreement factors along with enquiry report informing that Government have provisionally decided to impose a major penalty under Rule 9 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 against the Charged Officer Smt P.Laxmi Kumari, District Registrar, Eluru with a direction to submit her representation, if any, to the Government within 15 days from the date of receipt of the memo.
9. In the reference 13th read above, the Charged Officer submitted her explanation mainly contending that the disagreement factors given by the Government based on the preliminary enquiry report of ADR, Nellore, which is not properly conducted and also stated that the disagreement factors are not based on any tangible evidence and any specific violations of any instructions by her. She has further stated that the evidence produced by her has been dealt with and discussed in detailed by Regular Enquiry Officer and by accepting the findings of the Regular Enquiry Officer, the Disciplinary Authority has exonerated her from the charges. She has further submitted that the Regular Enquiry Officer has conducted the enquiry duly following the CCA Rules and after evolving the evidence, the Regular Enquiry Officer held that all the charges has not proved against her and therefore requested the Government to drop all the charges against her.
10. Government after examining the findings of Regular Enquiry Officer and contention of the Charged Officer with the other material available, observed that in the De novo enquiry, the enquired officer held that the charges are not proved against the Charged Officer. Therefore, while agreeing with the findings of Enquiry Officer, it has been decided to drop further action against Smt.P.Lakshmi Kumari, former Joint Sub Registrar-II, Registrar Office, Guntur and now District Registrar, Eluru.
11. Accordingly, Government hereby order to drop further action against Smt.P.Lakshmi Kumari, former Joint Sub Registrar-II, Registrar Office, Guntur and now District Registrar, Eluru.
12. The Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration and Stamps, Eluru shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner and Inspector General, Registration and Stamps, A.P., Hyderabad
The Deputy Inspector General, Registration and Stamps, Eluru, W.G. District/Guntur.
The Individual
(through Deputy Inspector General, Registration and Stamps, Eluru, W.G. District)
SF / SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

